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Docket No.: 21381-00067-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John A. Montgomery et al.

Application No.: 09/889,287

Confirmation No.: 2444

Filed: July 16, 2001

Art Unit: 1623

For: METHODS FOR SYNTHESIZING 2-
CHLORO-9-(2-DEOXY-2-FLUORO-B-D-
ARABINOFURANOSYL)-9H-PURIN-6-
AMINE

Examiner: D. Khare

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of the references listed on the PTO SB08 Form is attached, except for the U.S. patents.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

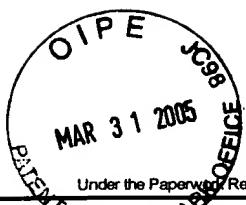
The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 21381-00067-US.

Dated: March 30, 2005

Respectfully submitted,

By 
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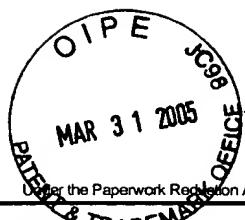
Substitute for 77 CFR 1.46(b)/PTO				Complete if Known	
				Application Number	09/889,287-Conf. #2444
				Filing Date	July 16, 2001
				First Named Inventor	John A. Montgomery
				Art Unit	1623
				Examiner Name	D. Khare
Sheet	1	of	2	Attorney Docket Number	21381-00067-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA	US-5,401,838		03-28-1995	CHOU	
AB	US-5,384,310		01-24-1995	MONTGOMERY et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
BA	WO-92/09604 A1		06-11-1992	BERLEX BIOSCIENCES, INC.	
BB	WO-92/20347 A1		11-26-1992	SOUTHERN RESEARCH INSTITUTE	
BC	EP-0 314 011 A2		05-03-1989	F. HOFFMANN-LA ROCHE & CO.	
BD	WO-89/08658 A1		09-21-1989	SCRIPPS CLINIC AND RESEARCH FOUNDATION	
BE	EP-0 577 303 A1		01-05-1994	ELI LILLY AND COMPANY	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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PTO/SB/08a/b (08-03)
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Substitute for form 1449, 1449A, 1449B, 1449C

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

				Complete if Known	
Application Number	09/889,287-Conf. #2444				
Filing Date	July 16, 2001				
First Named Inventor	John A. Montgomery				
Art Unit	1623				
Examiner Name	D. Khare				
Sheet	2	of	2	Attorney Docket Number	21381-00067-US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
CA	"Studies on the Azidoazomethine-Tetrazole Equilibrium. V. 2- and 6-Azidopurines" Temple, Jr. et al., Temple, Kussner, and Montgomery, vol. 31 pgs. 2210-2215. February 28, 1966.		
CB	"Correlation of the Proton Magnetic Resonance Chemical Shifts of Substituted Purines with Reactivity Parameters. I. 2,6-Disubstituted Purines", Coburn Jr., et al. Coburn, Thorpe, Montgomery, and Hewson. vol. 30, pgs. 1110-1113. November 16, 1964.		
CC	"Synthesis of 6-Aryloxy- and 6-Arylalkoxy-2-chloropurines and Their Interactions with Purine Nucleoside Phosphorylase from <i>Escherichia coli</i> .", Bzowska et al., J. Biosci. 1999, vol. 54, pgs. 1055-1067.		
CD	"9-(2-Deoxy-2-fluoro- β -D-arabinofuranosyl) guanine: A Metabolically Stable Cytotoxic Analogue of 2'-Deoxyguanosine", Montgomery et al., Journal of Medicinal Chemistry, 1986, 29, 2389, December 23, 1985.		
CE	"Synthesis and Biologic Activity of 2'-Fluoro-2-halo Derivatives of 9- β -D-Arabinofuranosyladenine", Montgomery et al., Journal of Medicinal Chemistry 1992, 35, June 17, 1991.		
CF	"Liquid chromatographic study of acid stability of 2-chloro-2'-arabino-fluoro-2'-deoxyadenosine, 2-chloro-2'-deoxyadenosine and related analogs", Reichelova et al., J. Pharm. Biomed. Anal. (1995), 13 (4/5), 711-714.		
CG	"Synthesis and Anti-Hepatitis B Virus Activity of 9-(2-Deoxy-2-fluoro- β -L-arabinofuranosyl) purine Nucleosides", Ma et al., J. Med. Chem., 1997, 40, 2750-2754, April 7, 1997.		
CH	"Convergent Syntheses and Cytostatic Properties of 2-chloro-2'-deoxy-2'-fluoroadenosine and its N ⁷ -isomer", Bioorganic & Medicinal Chemistry Letters, Zaitseva, Galina V. et al, vol. 5, No. 24: 2999-3002, 1995, XP00223094: 3300.		
CI	Database CAPLUS on STN (Columbus, OH, USA), No. 122:260176 "Preparative high-performance liquid chromatographic separation of fluorodeoxy sugars", Evangelisto et al. Journal of Chromatography, 1995 695 (1), pages 128-131.		

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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